

REMARKS

This Amendment is responsive to the Office Action dated July 9, 2004. Claims 5, 10, 12 and 13 were pending in the application. In the Office Action, claims 5, 10, 12 and 13 were rejected. In this Amendment, claims 5, 10, 12 and 13 have been amended, and new claim 14 has been added. Claims 5, 10 and 12-14 thus remain for consideration.

Applicants submit that claims 5, 10 and 12-14 are in condition for allowance and request withdrawal of the rejections in light of the following remarks.

Abstract

The abstract has been amended. The abstract is now believed to be in compliance with all formality requirements.

Claim Objections

Claims 5, 10, 12 and 13 were objected to because of informalities.

Claims 5, 10, 12 and 13 have been amended. Applicants submit that the amendments to claims 5, 10, 12 and 13 render the claims compliant with all formality requirements, and therefore request that the objections to the claims be withdrawn.

§112 Rejections

Claims 5, 10, 12 and 13 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement.

Claims 5, 10, 12 and 13 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

Applicants have amended claims 5, 10, 12 and 13, and submit that the claims as amended are compliant with §112. Accordingly, Applicants request that the rejections under §112 be withdrawn.

§101 Rejections

Claim 13 was rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter.

Claim 13 has been amended, and is now believed to be in compliance with §101. Accordingly, Applicants request that the rejections under §101 be withdrawn.

§103 Rejections

Claims 5, 10, 12 and 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over Mizoguchi et al. in view of Applicants' disclosure of prior art.

Applicants' invention as recited in claims 5, 10, 12 and 13 is directed toward the transmission or reception of a preamble signal. Each of the claims recites that the preamble signal includes at least one first part and at least one second part. Each of the claims further recites that "the last six complex symbols of the at least one first part and the at least one second part are (1-i), (-1-i), (1-i), (-1-i), (-1+i), (1+i)."

Mizoguchi does not disclose a preamble signal having at least one first part and at least one second part wherein the last six complex symbols of the at least one first part and the at least one second part are (1-i), (-1-i), (1-i), (-1-i), (-1+i), (1+i). Accordingly, Applicants submit that claims 5, 10, 12 and 13 are patentable over Mizoguchi and the disclosed prior art on at least this basis.

Applicants respectfully submit that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Statements appearing above with respect to the disclosures in the cited references represent the present opinions of the Applicants' undersigned attorney and, in the event that the Examiner disagrees with any such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the respective reference providing the basis for a contrary view.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
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